

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 14-7674

ANTOINE J. CHINA,

Plaintiff - Appellant,

v.

LT. MARSKBERRY; MAJOR NETTLES; WARDEN FRED B. THOMPSON;
WILLIAM R. BYARS, JR., Director,

Defendants - Appellees.

Appeal from the United States District Court for the District of
South Carolina, at Orangeburg. J. Michelle Childs, District
Judge. (5:13-cv-00091-JMC)

Submitted: December 14, 2015

Decided: December 30, 2015

Before MOTZ, WYNN, and FLOYD, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Antoine J. China, Appellant Pro Se. Hugh Willcox Buyck, Gordon
Wade Cooper, BUYCK, SANDERS & SIMMONS, Charleston, South
Carolina, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Antoine J. China appeals from the district court's order adopting the recommendation of the magistrate judge and granting summary judgment to Defendants in his 42 U.S.C. § 1983 (2012) civil rights action. He challenges that ruling and the magistrate judge's rulings denying his motions to appoint counsel, to compel, and for a default judgment. Appellees move to dismiss the appeal as untimely.

We have reviewed the record and find no reversible error. We further conclude that the notice of appeal was timely filed. Accordingly, we deny the motion to dismiss the appeal and affirm for the reasons stated by the district court and the magistrate judge. China v. Lt. Marskberry, No. 5:13-cv-00091-JMC (D.S.C. Apr. 11, Sept. 9 & Oct. 3, 2013; Sept. 4, 2014). We deny China's motion to appoint counsel and dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED